

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

_____)	
MERRIMACK COUNTY REPUBLICAN)	
COMMITTEE,)	
KAREN TESTERMAN,)	
PATRICIA JORGENSEN,)	
DAVID TESTERMAN, and)	
NIKKI MCCARTER,)	
)	
Plaintiffs)	
)	
v.)	Case No. 1:24-cv-00020-LM-AJ
)	
DAVID SCANLAN, SECRETARY OF STATE)	
FOR NEW HAMPSHIRE)	
and CHRIS AGER, NEW HAMPSHIRE)	
REPUBLICAN STATE COMMITTEE,)	
)	
Defendants.)	
_____)	

**REPLY OF CHRIS AGER AND NEW HAMPSHIRE
REPUBLICAN STATE COMMITTEE TO PLAINTIFFS' ASSENT
TO THE MOTION FOR STATUS CONFERENCE**

Defendants Chris Ager and the New Hampshire Republican State Committee, (jointly, the "NHRSC"), by and through their attorneys, Cleveland, Waters and Bass, P.A., hereby reply to plaintiffs' assent to the NHRSC's motion for status conference.

While plaintiffs assented to the NHRSC's motion for a status conference, the assent included several pages of argument not germane to the primary purpose of the requested status conference. Plaintiffs did not explain Ms. Jorgensen's and Ms. Testerman's failure to provide notice to Attorney Gould, despite representing to this court that such notice was provided. Although plaintiffs claim that it was not necessary to serve Attorney Gould based on their assertion that the New Hampshire Republican State Committee is not a party to this action, this does not absolve plaintiffs of the duty to not make false representations to this court.

Although it is unnecessary to respond to plaintiffs' arguments as to the merits of their complaint at this stage, the plaintiffs incorrectly attribute the NHRSC's interpretation of RSA 659:14 and 654:34 to the New Hampshire Secretary of State (the "Secretary"). As far as the NHRSC is aware, the Secretary has not adopted the NHRSC's position, or adopted any position in particular, related to the interpretation of RSA 659:14 and 654:34.

Respectfully submitted,

CHRIS AGER, NEW HAMPSHIRE
REPUBLICAN STATE COMMITTEE,
By Their Attorneys,

Date: February 12, 2024

/s/ Jacob M. Rhodes
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CERTIFICATE OF SERVICE

I hereby certify that the within document is being served electronically through the court's electronic filing system upon counsel of record and all other parties who have entered electronic service contacts in this docket. In addition, the following parties have been served by email and U.S. Mail:

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Date: February 12, 2024

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